

**TOWNSHIP OF CHATHAM
TOWNSHIP COMMITTEE MEETING MINUTES
JANUARY 13, 2016**

Mayor Ritter called the special meeting of the Township Committee of the Township of Chatham to order at 6:42 PM.

Adequate Notice of this meeting of the Township Committee was given as required by the Open Public Meetings Act as follows: Notice was given to both The Chatham Courier and the Morris County Daily Record on January 8, 2016; notice was posted on the bulletin board in the main hallway of the Municipal Building on January 8, 2016; and notice was filed with the Township Clerk on January 8, 2016.

Roll Call

Answering present to the roll call were Committeeman Kelly, Committeewoman Swartz, Committeeman Gallop, Deputy Mayor Sullivan and Mayor Ritter.

Also present were Township Administrator Thomas Ciccarone, Township Planner Frank Banisch, P.P., Township Attorney Albert Cruz, and Affordable Housing Counsel Steve Kunzman, Esq.

A unanimous motion to appoint the Township Attorney as Acting Deputy Clerk for the sole purpose of taking the minutes at this meeting in the absence of the Township Clerk was adopted on a voice vote.

Executive Session

**RESOLUTION 2016-P-02
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP
OF CHATHAM IN THE COUNTY OF MORRIS, NEW JERSEY, AUTHORIZING
CONFERENCE OF THE TOWNSHIP COMMITTEE WITH THE PUBLIC EXCLUDED**

WHEREAS, N.J.S.A. 10:4-12 of the Open Public Meetings Act permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the Township Committee of the Township of Chatham is of the opinion that such circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, as follows:

1. The public shall be excluded from discussion of the specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:
 - a. Pending or anticipated litigation: Docket No. MRS-L-1659-15 In the Matter of the Application of the Township of Chatham for a Determination of Mount Laurel Compliance
3. It is anticipated that the minutes on the subject matter of the Executive Session will be made public upon conclusion of the matter under discussion; and in any event, when appropriate pursuant to N.J.S.A. 10:4-7 and 4-13.
4. The Committee will come back into Regular Session and may take further action.
5. This Resolution shall take effect immediately.

Mayor Ritter announced that the Township Committee anticipates taking formal action following Executive Session.

Committeewoman Swartz moved to pass Resolution 2016-P-02 to enter Executive Session at 6:47 PM. Committeeman Gallop seconded the motion.

Roll call: Committeeman Gallop, Aye; Committeeman Kelly, Aye; Committeewoman Swartz, Aye; Deputy Mayor Sullivan, Aye; Mayor Ritter, Aye.

The Township Committee returned to Public Session at 8:05 PM.

Hearing of Citizens

Mayor Ritter opened the Hearing of Citizens.

Seeing none coming forward, Mayor Ritter closed the Hearing of Citizens.

Resolutions

**RESOLUTION 2016-041
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
CHATHAM RETAINING ECONSULT SOLUTIONS LLC TO TESTIFY IN COAH
LITIGATION**

WHEREAS, on or about July 2, 2015, the Township of Chatham filed a Complaint for Declaratory Judgment captioned In the Matter of the Township of Chatham for a Judgment of Compliance of its Third Round Housing Element and Fair Share Plan, Docket No. MRS-L-1659-15; and

WHEREAS, that Complaint was filed in accordance with the New Jersey Supreme Court decision in In the Matter of the Adoption of N.J.A.C. 5:96, 221 N.J. 1 (2015); and

WHEREAS, on November 2, 2015, the Honorable Stephen C. Hansbury, P.J. Cv., entered an Order in the Declaratory Judgment Action requiring that the Township advise him by January 15, 2016 of the expert that the Township intends to use on affordable housing fair share issues; and

WHEREAS, the Township joined with 271 other municipalities to retain Econsult Solutions, LLC, to prepare a report addressing affordable housing fair share issues within the State of New Jersey ; and

WHEREAS, Econsult issued a revised report on December 30, 2015; and

WHEREAS, the Township intends to rely upon that report at the trial of the Declaratory Judgment Action and to call upon Econsult to testify at the trial; and

WHEREAS, the Township hereby authorizes the Township Attorney to notify Judge Hansbury of its intention by January 15, 2016.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Chatham, County of Morris, State of New Jersey, as follows:

1. That the Township of Chatham Attorney is hereby authorized to notify Judge Stephen C. Hansbury, P.J. Cv., that it intends to rely upon the revised report of Econsult Solutions, LLC, dated December 30, 2015, and to retain Econsult to testify at trial.
2. That this Resolution shall take effect immediately.

Attorney Cruz summarized the Executive Session discussion and Resolution 2016-041.

Committeewoman Swartz moved to pass Resolution 2016-041. Committeeman Kelly seconded the motion.

Roll call: Committeeman Gallop, Aye; Committeeman Kelly, Aye; Committeewoman Swartz, Aye; Deputy Mayor Sullivan, Aye; Mayor Ritter, Aye.

The meeting was adjourned at 8:10 PM.

Gregory J. LaConte
Township Clerk